

No. 5052 Equity

- 3. That these taxes are liens and are drawing interest and ought to be paid
- 4. Your Petitioner prays that your Honors may pass an order authorizing him out of the trust funds in his hands to pay said taxes forthwith without waiting for the statement of an audit

And as in duty bound  
March 3 1885

J. M. Sherry  
Sol. for Petitioner

Ordered by the Court this third day of March A.D. 1885 upon reading the foregoing petition that Henry E. Smith Trustee be and he is hereby authorized and empowered to pay the taxes due by Benjamin F. Stewart on the property and estate conveyed by him to said Trustee

John A. Gorch  
Judge of the Cir. Court

Filed March 3 1885

Henry E. Smith Trustee of  
Benjamin F. Stewart  
on  
Petition

No Equity  
In the Circuit Court for  
Frederick County  
Sitting as a Court of Equity

To the Honorable the Judges of said Court

The Report of Henry E. Smith Trustee respectfully shows

- 1. That after the execution of the deed of trust referred to in the former proceedings in this Cause he gave bond for the discharge of his duties as such Trustee which was duly approved and filed in this Court
- 2. That thereafter he proceeded to advertise for sale the real estate conveyed by said deed of trust as will appear by reference to a copy of said advertisement herewith filed as a part hereof and marked Exhibit A.
- 3. That he advertised the sale of the real estate situate in Frederick County, for more than three weeks in three newspapers printed in said Frederick County, to wit, the "Republican Citizen" the "Banner of Liberty" and the "Valley Register" offering said real estate at public auction on Saturday the Eighteenth day of April Eighteen hundred and Eighty five on the premises
- 4. That said real estate was offered subject to two prior mortgages thereon aggregating the sum of seven thousand dollars and two hundred dollars accrued interest and also subject to such dower right as the wife of the said Benjamin F. Stewart might have in said property
- 5. That said property was offered clear of the mortgage held therein by Henry E. Smith he agreeing to look to the proceeds of sale above the said prior liens for the payment or part payment of said mortgage
- 6. That on Saturday April 18 1885 at the hour of ten o'clock A.M. on the premises the said Trustee proceeded to sell said real estate formerly known as the Central Hotel at public auction according to the terms of said advertisement at the time and place in said advertisement mentioned, and did then and there sell the same to Mrs Annie M. Stewart wife of the said Benjamin F. Stewart at and for the sum of twenty three hundred and fifty dollars over and above the two first mortgages thereon and accrued interest thereon and upon the terms specified in said advertisement, she being then and there the highest and best bidder therefor; and that the said purchaser did then and there sign an acknowledgment of purchase which is herewith filed marked Exhibit B. as a part hereof.

Report of  
Sale